

ARTICLE VIII. USE REQUIREMENTS BY DISTRICT*

*Editor's note--Ord. No. 1993-49, §§ 1--55, amended Art. VIII, in its entirety to read as herein set out. See the Code Comparative Table for a detailed analysis of inclusion.

Following most uses there is a bracketed letter indicating the parking space requirement as shown in Section 7.02, Off-Street Automobile Parking and Storage. The bracketed letters [NR] indicate that there is no parking space requirement for that use. No specific parking space requirement indicates that the size of the parking area and number of parking spaces will be determined by the City Council.

Section 8.01. Agricultural District (A-1).

Within the Agricultural District (A-1) the following uses shall be permitted and within the Special Agricultural District (A-1-S) the following uses may be permitted:

All uses permitted in a Single-Family District (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Baseball batting cages and other similar recreational facilities. [BB]

Campgrounds in accordance with provisions in Section 12.37.

Fairgrounds as may be authorized by the zoning board of adjustment to provide an area for those uses related to fairs, carnivals, circuses, and for facilities related to livestock shows, special attractions and events. The zoning board of adjustment shall base its decision on the need for such facilities within Rowan County, adequate access by roads, as well as adequate size of site for each use, or activity, structures or facilities, and parking. [Y]

Golf courses, with provisions as outlined in Section 12.13.

Greenhouses or horticultural nurseries. [BB]

Horse stables or riding academies, including the boarding of horses, ponies, mules and donkeys, may be authorized by the zoning board of adjustment, provided that the resulting development and operation would be in keeping with the general welfare or characteristics of the area. The location and use of all principal and accessory structures and of all land related to this principal use shall be approved by the zoning board of adjustment. The zoning board of adjustment authorization may include conditions relative to but not limited to the following: landscaping, screening, signs, lighting, loading and unloading, and parking.

Hunt-fish-gun clubs which are restricted to use by members and their guests, provided such facilities are located on a site containing at least ninety (90) acres in one (1) contiguous parcel and that in addition to the principal structures, the accessory structures related thereto may include one (1) single-family dwelling (N.C. state-approved mobile home or conventional construction) to be used as a principal place of residency by anyone employed on premises for custodial or security purposes and members of their household. [Y]

Manufactured Homes, Class AA, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

Manufactured Homes, Class A, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

Within the agricultural district (A-1), the following uses shall be conditional uses:

Animal shelters

Flea markets may be authorized by the board of adjustment stipulating the following conditions:

- (1) Hours of operation per day specifying the hour of opening and closing as well as the hour at which setup may begin and removal activities terminate;
- (2) Specific days of the week such activities may take place;
- (3) Set the beginning and ending dates for such approval provided they shall not exceed eight (8) months and shall not be removed or extended within the same calendar year;
- (4) Type and location of sign identifying flea market and lighting provided such is in keeping with article IX of the zoning ordinance;
- (5) Parking requirements; [J]
- (6) Other conditions as the zoning board of adjustment deems appropriate to the specific case;
- (7) And provided that should any such authorized conditional use cause, create, or contribute to any activity or condition considered by the zoning administrator to be a nuisance, as defined by the ordinances of the City of Salisbury, the zoning administrator may terminate the certificate of occupancy of the conditional use until the nuisance and/or conditions related thereto shall have been abated.

Farmer's market under the same conditions as flea markets and those set out in section 8.41 for farmer's markets. Farmer's markets may be a mixed use with flea markets. [J]

Veterinarian practice may be authorized by the zoning board of adjustment provided that:

- (1) The use is operated in conjunction with the veterinarian's place of residence and shall meet all requirements of section **11.01**;
- (2) The zoning board of adjustment makes a determination based on reasonable evidence presented that the conditional use would not be dangerous, offensive or detrimental to the health, safety, welfare or general character of adjacent property by reason of the emission of dust, noise, fumes, odors, or otherwise;
- (3) The appropriate parking space standards can be established by the zoning board of adjustment;
- (4) That other requirements may be set by the zoning board of adjustment when such board deems such requirements to be necessary for the protection of the public health, safety, morals, or welfare, and in so doing the zoning board of adjustment has the discretion to limit the veterinarian practice to any one of the following:
 - (a) Limit the veterinarian practice to allow an office for the practice but no treatment or boarding of animals on premises;
 - (b) Limit the veterinarian practice to allow an office for the practice and treatment of animals but no boarding of animals on premises;
 - (c) Allow the veterinarian practice to have an office for the practice, treatment of animals, and boarding of animals on premises.

(Ord. of 12-17-74, § 1; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1977-40, § 1, 9-6-77; Ord. No. 1981-28, § 2, 6-16-81; Ord. No. 1982-26, § 1, 6-1-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-20, § 6, 5-6-86; Ord. No. 1986-67, § 3, 10-21-86; Ord. No. 1993-45, § 12, 6-1-93; Ord. No. 1993-49, §§ 1, 2, 6-1-93; Ord. No. 1994-44, § 2.7-19-94; Ord. No. 1994-60, § 1, 11-1-94; **Ord. No. 1996-35; Ord. No. 1998-30**)

Section 8.02. Special Agricultural District (A-1-S).

See section 8.01 above for uses permitted in this district.

(Ord. No. 1193-49, § 1, 6-1-93)

Section 8.02.1. Single Family Residential District (R-40).

Within the Single Family-40 Residential District (R-40) the following uses shall be permitted and within the Special Single Family-40 Residential District (R-40-S) the following uses may be permitted:

All uses permitted in a single family residential district (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Section 8.02.2. Special Single Family-40 Residential District (R-40-S).

See section 8.02.1 above for uses permitted in this district.

Section 8.02.3. Single Family-40/Manufactured Home Residential District (R-40 MH).

Within the Single Family-40/Manufactured Home Residential District (R-40 MH) the following uses shall be permitted and within the Special Single Family-40/Manufactured Home Residential District (R-40 MH-S) the following uses may be permitted:

All uses permitted in the Single Family-8 Residential District (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Manufactured Homes, Class AA, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

Section 8.02.4. Special Single Family-40/Manufactured Home Residential District (R-40 MH-S).

See Section 8.02.3 above for uses permitted in this district.

Section 8.03. Single-Family Residential District (R-20).

Within the Single-Family-20 Residential District (R-20) the following uses shall be permitted and within the Special Single-Family-20 Residential District (R-20-S) the following uses may be permitted:

All uses permitted in a single-family residential district (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Section 8.03.1. Single Family-20/Manufactured Home Residential District (R-20 MH).

Within the Single-Family-20/Manufactured Home Residential District (R-20 MH) the following uses shall be permitted and within the Special Single-Family-20/Manufactured Home Residential District (R-20 MH-S) the following uses may be permitted:

All uses permitted in a single-family-8 residential district (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Manufactured Homes, Class AA, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

(Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, §§ 3, 4, 6-1-93; **Ord. No. 1998-18; Ord. No. 1998-30**)

Section 8.04. Special Single-Family-20 Residential District (R-20-S).

See section 8.03 above for uses permitted in this district.

Section 8.04.1 Special Single Family-20/Manufactured Home Residential District (R-20 MH-S).

See Section 8.03.1 above for uses permitted in this district.

(Ord. No. 1193-49, § 3, 6-1-93; **Ord. No. 1998-30**)

Section 8.05. Single-Family Residential District (R-15).

Within the Single-Family-15 Residential District (R-15) the following uses shall be permitted and within the Special Single-Family-15 Residential District (R-15-S) the following uses may be permitted:

All uses permitted in a Single-Family Residential District (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Section 8.05.1. Single Family-15/Manufactured Home Residential District (R-15 MH).

Within the Single-Family-15/Manufactured Home Residential District (R-15 MH) the following uses shall be permitted within the Special Single-Family-15/Manufactured Home Residential District (R-15 MH-S) the following uses may be permitted:

All uses permitted in a Single-Family-8 Residential District (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Manufactured Homes, Class AA, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

Section 8.05.2. Single Family-12/Manufactured Home Residential District (R-12 MH).

Within the Single-Family-12/Manufactured Home Residential District (R-12 MH) the following uses shall be permitted and with the Special Single-Family-12/Manufactured Home Residential District (R-12 MH-S) the following uses may be permitted:

All uses permitted in a Single-Family-8 Residential District (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Manufactured Homes, Class AA, in compliance with Sections 4.02, 11.01, 12.32, and other applicable portions of this Ordinance.

(Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, §§ 5, 6, 6-1-93: **Ord. No. 1998-30**)

Section 8.06. Special Single-Family-15 Residential District (R-15-S).

See section 8.05 above for uses permitted in this district.

Section 8.06.1. Special Single Family-15/Manufactured Home Residential District (R-15 MH-S).

See Section 8.05.1 above for uses permitted in this district.

Section 8.06.2 Special Single Family-12/Manufactured Home Residential District (R-12 MH-S)

See Section 8.05.2 above for uses permitted in this district.

(Ord. No. 1193-49, § 5, 6-1-93; **Ord. No. 1998-30**)

Section 8.07. Single-Family Residential District (R-8).

Within the Single-Family Residential District (R-8) the following uses shall be permitted and within the Special Single-Family Residential District (R-8-S) the following uses may be permitted:

Single-family dwellings. [FF]

Modular homes, as defined in Section 4.02. [FF]

Child day care homes, in accordance with the procedures outlined in Section 7.10(III)(c) and approved in the special use permit. [H]

Churches and related uses. [E]

Public elementary [P], middle [P], and high schools [EE], and private schools having curricula approximately the same as ordinarily given in public schools.

Golf courses, parks, playgrounds and community centers operated on a noncommercial or nonprofit basis for recreational purposes only.

Golf courses, with provisions as outlined in Section 12.13.

Community centers. [M]

Greenhouses and truck gardens which are incidental to the residential use and conducted on a noncommercial basis only. [NR]

Home occupations such as home cooking and professional offices as defined in article IV, section 4.02, of this ordinance. [NR]

Accessory buildings or structures with the following provisions:

- (a) **Location to be in a rear yard area only, except for swimming pools, detached garages and carports, which may also be located in the side yard.**
- (b) **Setback shall not be less than ten (10) feet from any property line, and in the case of corner lots the setback from any side street right-of-way shall be at least twenty (20) feet.**
- (c) **No accessory structure shall be larger than or taller than the principal structure on the lot. [NR]**

Swimming pools, as provided for in Section 12.30.

Family care home. [FF]

Residential treatment facility, level I, II, or III, with a Special Use Permit as provided in Section 7.10(III)(g). [DD]

Supervised living facility, with no more than 6 clients. [FF]

Bed and breakfast home in accordance with the provisions contained in section **12.24**, regulations for the use bed and breakfast home. [CA]

Police substations that are in a Redevelopment Target Area as designed by City Council and that are designed to be compatible with the neighborhood. [FF]

Neighborhood centers [OO]

(Ord. of 6-18-72, § 1; Ord. of 5-21-74, § 4; Ord. No. 1980-99, § 6, 11-18-80; Ord. No. 1981-45, § 2, 10-6-81; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-67, § 4, 9-4-84; Ord. No. 1990-9, § 1, 3-6-90; Ord. No. 1991-38, §§ 3, 4, 10-1-91; Ord. No. 1993-49, §§ 7, 8, 6-1-93; Ord. No. 1994-44, § 3, 7-19-94; Ord. No. 1994-56, § 1, 10-4-94; **Ord. No. 1995-42; Ord. No. 1996-38; Ord. No. 1998-28; Ord. No. 1998-30; Ord. No. 2001- Ord. No. 2002-24; Ord. No. 2003-40)**

Section 8.08. Special Single-Family Residential District (R-8-S).

See section 8.07 above for uses permitted in this district.

(Ord. No. 1193-49, § 7, 6-1-93)

Section 8.09. Single-Family Conservation Residential District (SFC).

Within the Single-Family Conservation Residential District (SFC) the following uses shall be permitted and within the Special Single-Family Conservation Residential District (SFC-S) the following uses may be permitted:

Single-family dwellings. [FF]

Child day care homes, in accordance with the procedures outlined in Section 7.10(III)(c) and approved in the special use permit. [H]

Churches and related uses. [E]

Golf courses, with provisions as outlined in Section **12.13**. [NR]

Home occupations such as home cooking and professional offices as defined in article IV, section 4.02, of this ordinance. [NR]

Accessory buildings or structures with the following provisions:

- (a) **Location to be in a rear yard area only, except for swimming pools, detached garages and carports, which may also be located in the side yard.**
- (b) **Setback shall not be less than five (5) feet from any property line, and in the case of corner lots the setback from any side street right-of-way shall be at least twenty (20) feet.**

(c) No accessory structure shall be larger than or taller than the principal structure on the lot. [NR]

Swimming pools, as provided for in Section 12.30.

Family care home. [FF]

Supervised living facility, with no more than 6 clients. [FF]

Bed and breakfast home, in accordance with the provisions contained in section **12.24**, regulations for the use bed and breakfast home. [CA]

Modular homes. [FF]

Neighborhood centers [OO]

Within the Single-family conservation residential district (SFC), the following shall be a conditional use:

Conversion of single-family to two-family residences. In granting a conditional use, the zoning board of adjustment shall require at least the minimum lot size requirements and the minimum yard requirements for two-family uses in the R-6 district and may require one or more of the requirements to be more restrictive. The board may also require that portions of the setbacks, as they may be required, be maintained as landscaped areas provided such are not less than otherwise required by the zoning ordinance, and that all parking space and maneuvering requirements as specified in section 7.02 and other portions of article VII be observed. If the conversion involves the establishment of an upstairs unit, entrance to the unit may be made either from an interior stairway or an exterior stairway in the rear yard area only.

(Ord. No. 1984-37, § 3, 5-1-84; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-86, § 1, 12-16-86; Ord. No. 1990-9, § 2, 3-6-90; Ord. No. 1991-38, §§ 5, 6, 10-1-91; Ord. No. 1993-49, §§ 9, 10, 6-1-93; Ord. No. 1994-44, § 4, 7-19-94; Ord. No. 1994-56, § 1, 10-4-94; **Ord. No. 1996-35; Ord. 1998-28; Ord. No. 2001-61; Ord. No. 2002-24; Ord. No. 2003-40**)

Section 8.10. Special Single-Family Conservation Residential District (SFC-S).

See section 8.09 above for uses permitted in this district.

(Ord. No. 1193-49, § 9, 6-1-93)

Section 8.11 – 8.12 Reserved.

(Ord. No. 1977-15, § 3, 4-5-77; Ord. No. 1982-41, § 1, 8-3-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, §§ 11, 12, 6-1-93; **Ord, No. 2000.16**)

Section 8.13. Two-Family Residential District (R-6).

Within the Two-Family Residential District (R-6) the following uses shall be permitted and within the Special Two-Family Residential District (R-6-S) the following uses may be permitted:

All uses permitted in a single-family residential district (R-8) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Adult day care home provided such use has a current valid certification by the N.C. Department of Human Resources, that there shall be no more than five (5) clients in residence at any one time, and such use is not located within one-quarter mile of an existing adult day care home. [B]

Two-family dwellings. [BB]

Child day care homes, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Child day care facilities, in accordance with the procedures outlined in Section 7.10(III)(c) and approved in the special use permit. [H]

Accessory buildings or structures with the following provisions:

- (a) Location to be in a rear yard area only, except for swimming pools, detached garages and carports, which may also be located in the side yard.**
- (b) Setback shall not be less than five (5) feet from any property line, and in the case of corner lots the setback from any side street right-of-way shall be at least twenty (20) feet.**
- (c) No accessory structure shall be larger than or taller than the principal structure on the lot. [NR]**

Within the two-family residential district (R-6), the following conditional use may be permitted:

Residential support facility [o], provided that:

- (1) The facility adjoins, meaning to a side, rear or across the street from, a hospital.
- (2) The occupancy of the facility be limited to no more than fifteen (15) families or individuals.
- (3) The size of the property is at least twenty thousand (20,000) square feet, with at least one hundred (100) feet along any public street.
- (4) Building coverage of the lot does exceed twenty (20) percent.
- (5) The minimum yard requirements and maximum height limitation for two-family use, as listed in section **11.01**, table of requirements, for the R-6 use, are met.
- (6) If a sign is needed, said sign be in accordance with the residential sign table in section 9.05(8)(c).
- (7) The Zoning Board of Adjustment may attach additional restrictive conditions, as listed in section **16.06(4)**.

(Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1982-41, § 1, 8-3-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1991-5, § 1, 2-5-91; Ord. No. 1993-49, §§ 13, 14, 6-1-93; **Ord. No. 1996-35; Ord. 1998-28**)

Section 8.14. Special Two-Family Residential District (R-6-S).

See section 8.13 above for uses permitted in this district.

(Ord. No. 1193-49, § 13, 6-1-93)

Section 8.15. Multifamily Residential District (R-6A).

Within the Multifamily Residential District (R-6A) the following uses shall be permitted and within the Special Multifamily Residential District (R-6A-S) the following uses may be permitted:

All uses permitted in a two-family residential district (R-6) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Multifamily dwellings. [W]

Rooming or boarding houses. [CC]

Child day care facilities, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Within a multifamily residential district (R-6A), the following conditional uses may be permitted:

An adult day care center provided that: [A]

- (1) The use is a mixed use with a church;
- (2) The mixed use is operated either:
 - (a) Within the principal structure, or
 - (b) Within an accessory structure, or
 - (c) Within a structure located on a lot which is coterminous with and fronting on the same street as the principal or accessory structure, or
 - (d) Within a structure located on a lot which is coterminous with and fronting on the same side street which abuts the principal or accessory structure, or
 - (e) That only one (1) such structure as specified in either subparagraph (c) or subparagraph (d) above shall be used at any church location;
- (3) The maximum number of clients in attendance at any one time shall not exceed twenty-four (24) in number;
- (4) The adult day care center shall be certified by the N.C. Department of Human Resources;
- (5) Such adult day care center shall not be in operation, i.e., clients on premises receiving adult day care services, between the hours of 6:00 p.m. and 6:00 a.m.

Mobile home parks, with provisions as outlined in Section 12.07. [T]

(Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1982-71, § 1, 10-5-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, §§ 15, 16, 6-1-93; **Ord. 1992-28; Ord. No. 1999-47**)

Section 8.16. Special Multifamily Residential District (R-6A-S).

See section 8.15 above for uses permitted in this district.

(Ord. No. 1193-49, § 15, 6-1-93)

Section 8.17. Residential Development ``A'' District (RD-A).

Definitions: The following definitions shall be applicable to the residential development district (RD-A) only and are intended and shall be more specific than the same or similar terms defined in article IV, section 4.02, Definitions.

- (a) *Dwelling:* A building or portion thereof designed, arranged, or used for permanent living quarters, which includes at least a principal room, a kitchen and a bathroom, for not more than one (1) family.
- (b) *Dwelling unit:* A room or group of rooms providing complete living quarters, which includes at least a principal room, a kitchen and a bathroom, for not more than one (1) family.
- (c) *Single-family dwelling, detached:* A building designed, constructed or reconstructed and used by not more than one (1) family for one (1) dwelling unit and having no roof, wall, or floor in combination with any other dwelling unit.
- (d) *Single-family dwelling, attached:* Two (2) or more adjoining dwelling units, each of which is separated from the others by one (1) or more unpierced party or common walls from ground to roof. (Note: The overlapping area of a common or party wall must be no less than ten (10) feet or at least twenty (20) percent of the total area of either wall so overlapped, otherwise no overlapping of walls to form party or common wall shall be permitted. This definition is to distinguish this type construction (e.g., townhouse) from multifamily including flats. It also includes the terms semiattached, semidetached, and weak link.)
- (e) *Multifamily dwelling:* A building designed for or containing three (3) or more dwelling units, sharing access from a common hall, stair, or balcony.
- (f) *Cluster housing:* A development pattern where the dwelling units are grouped or ``clustered" on a density basis for the total land area of the development, rather than spread evenly throughout the site on a lot by lot basis. A cluster housing development includes permanent open space and greenways usually owned and maintained by a homeowner association.
- (g) ***Twin house:* A semi-detached, single family house, which is connected along a party wall to a similar unit. Each structure has only two dwellings. Space is saved by eliminating two side yards. Strategically placed front doors can give the streetscape appearance of relatively large, single family houses on large lots.**
- (h) ***Weak line house:* A single family attached dwelling as a variation of the townhouse. It is distinguished by the fact that each unit has both a one-story and a two-story portion. The units are wider than conventional townhouses and are on larger lots. They present a facade resembling single family detached homes and therefore provide a greater sense of the individual unit identity.**
- (i) ***Townhouse:* A form of single family attached dwelling in which units share common walls and are often designed in rows. Yard areas are small.**
- (j) ***Lot-line house:* A single family detached unit which, instead of being centered on the lot, is placed against one of the side lot lines. This makes**

the side yard usable and requires less land than a house centered on its lot. The front yard, which is seldom used, may be substantially reduced in size.

- (k) ***Village house:*** A single family detached house built on a very small lot. Historic towns and villages in New England and areas of Pennsylvania utilize the village house concept. Units are placed close to the street to maximize the rear yard; alleys are encouraged to reduce the visual impact of the automobile on streets. The result is a lot which is smaller than that of the lot-line house. Specific architecture or landscape standards may be required for the street yard(s) of the house. Landscape features provide the charm, scale, and privacy that permits their location close to the street.
- (l) ***Patio house:*** A single family detached or semi-detached unit. It is built on a small lot, sometimes enclosed by walls. If the walls are not built, its layout may be similar to either the lot-line or twin house; thus, it may be built either as a detached or semi-detached dwelling. The patio house appeals to those who want privacy without the maintenance of a larger yard.
- (m) ***Atrium house:*** A single family attached unit that is similar to a patio house, but differs from it in three ways—it has a smaller lot and yard, it is an attached unit, and it is a single-story unit. To guarantee privacy, a small private yard is surrounded by the house and its walls. It appeals to persons without children who want privacy and do not want a maintenance responsibility. It is ideal for the elderly, because it is a single-story home with minimal exterior maintenance responsibility.

Permitted uses:

Golf courses, with provisions as outlined in Section 12.13.

Residential dwelling, provided that within a residential development ``A" district (RD-A) the following commonly known types of housing or dwellings or dwelling units may be built:

Single-family detached. [FF]

Two-family (includes twin house, duplex, weak link house). [FF]

Townhouse or row housing provided no more than six (6) dwelling units are attached one to another. (This is a specific type lot line house and includes weak link housing.) [W]

Lot line house (other than townhouse or row housing) either detached or attached provided no more than four (4) (a quadraplex) dwelling units may be attached one to another with at least two (2) or more walls of any one (1) unit common to one (1) or more walls of each of two (2) other units. [FF]

Village house (lot developed with little or no front yard). [FF]

Patio house (has a walled-in yard area for privacy contiguous to the dwelling). [FF]

Atrium house (private yard is surrounded by the house). [FF]

Multifamily dwellings [W]

Family care home. [FF]

Supervised living facility, with no more than 6 clients. [FF]

Modular homes [FF]

Neighborhood centers [OO]

Accessory uses provided such use and any accessory structure shall be minimal in size, intensity, lot area encumbered relative to the development with which it is associated, and clearly incidental to the principal residential use (i.e., there shall be no large ``hobby" oriented structures such as a greenhouse, workshop, oversized garage, or the like). [NR]

Such uses may be in a cluster group development as permitted hereafter and in the subdivision ordinance, or in a subdivision (noncluster type development) provided the minimum total site size of such subdivision is five (5) acres. In a noncluster subdivision any lot so created shall be exempt from the minimum lot size and minimum yard requirements of the zoning and subdivision ordinances. The maximum number of single-family attached units shall not exceed six (6) in any one (1) structure.

Cluster development: Lots in a cluster type residential group development shall be created pursuant to the following provisions:

- (1) That the ownership of the land on which each unit is located shall run with that unit.
- (2) That the owner of each lot and the unit contained on such lot shall be a member of the homeowner association organized for the development.
- (3) That any lot so created shall be contained entirely within the total development site.
- (4) That any lot so created shall be exempt from the minimum lot size, minimum yard and lot frontage requirements of the zoning and subdivision ordinances.
- (5) That there shall be, at a minimum, a common area within the perimeter of the development site equivalent in size to the applicable front, side and rear yard setback requirements stated in **Article XI**, appendix B, Zoning, for the R-6A district.
- (6) That in calculating permitted density for a development site, the total development site area, including that area within such created lots, shall be used.
- (7) That all requirements of the zoning ordinance and subdivision ordinance shall apply to the total development site except those requirements which this ordinance specifically provides shall not apply.
- (8) That a development site shall consist of a minimum of two (2) acres.
- (9) That the maximum number of single-family attached units shall not exceed six (6) in any one (1) structure.
- (10) Development shall be limited to those residential structures listed as commonly known types and such accessory structures and uses such as garages, swimming pools, community buildings serving the development.

Density lot size, yard requirements and height limits: The maximum permitted density for this district shall be eleven (11) dwellings per acre. The requirements for minimum lot size, minimum yard requirements, and in the case of cluster type residential group development, lot frontage on a public street shall be as recommended by the planning board and approved by city council for each development. The

height limit of the RD-A district shall be thirty-five (35) feet; however, city council may permit a building to exceed this limit provided other amenities such as increased yards and landscaping and siting relative to the additional height are provided.

Any development permitted in this district shall comply with design criteria set forth in section 12.06, Group Development.

Parking shall be that as required in section 7.02.

Review process: Any development within an RD-A district shall be permitted only when authorized by the Salisbury city council. Any such development for council consideration shall first be submitted to the Salisbury planning board for review, comment and recommendations. Subdivision review shall be based on the provisions of the subdivision ordinance. Planning board findings and recommendations on each development shall be transmitted to city council.

Provisions for streets, sidewalks, etc. The following provisions shall be applicable:

- (1) Streets shall be designed and constructed for public dedication and city maintenance in accordance with the adopted Uniform Construction Standards of the City of Salisbury. (Private streets prohibited.)**
- (2) Curb and gutter shall be restricted to 6-inch curb and 12-inch gutter vertical concrete or vertical granite block (no valley curbing).**
- (3) Sidewalks shall be required on both sides, with the minimum width of these sidewalks to be five feet.**
- (4) Grass strips (between street and sidewalk) shall be required on both sides, with the minimum widths of these grass strips to be three feet.**
- (5) Developers shall provide on the site plan a cross section drawing showing street context with the following criteria: right-of way widths, pavement widths, curb and gutter profile, grass strip widths and locations, sidewalk widths and locations, underground utilities' widths and locations, and front yard setbacks.**

(Ord. No. 1983-38, § 3, 5-17-83; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1990-9, § 3, 3-6-90; Ord. No. 1993-49, § 17, 6-1-93; Ord. No. 1994-44, § 5, 7-19-94; **Ord. No. 1996-35; Ord. No. 2000-11; Ord. No. 2001-, Ord. No. 2002-24; Ord. No. 2002-26; Ord. No. 2003-40)**

Section 8.18. Special Residential Development ``A" District (RD-A-S).

See section 8.17 above for uses permitted in this district.

(Ord. No. 1193-49, § 17, 6-1-93)

Section 8.19. Residential Development ``B" District (RD-B).

In any residential development ``B" district (RD-B) all the requirements for this district shall be those as set out in section 8.17, Residential development ``A" district (RD-A) provided, however, that the maximum density of dwelling units per acre shall not exceed five (5) and that any area in a given site which is in a floodway area as shown on the official floodway map for the City of Salisbury shall be excluded from the total area of that site in computing the maximum number of dwelling units which may be placed on that site. Multifamily dwellings as permitted in the residential development ``A" district shall not be permitted in this district. Off-street parking shall be at least that required in section 7.02 unless more parking than this minimum amount is required by city council.

The review process and authorization by city council as set out in section 8.17 for the RD-A district shall also be applicable to any development within the RD-B district.

(Ord. No. 1984-10, § 3, 2-7-84; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, § 18, 6-1-93)

Section 8.20. Special Residential Development ``B" District (RD-B-S).

See section 8.19 above for uses permitted in this district.

(Ord. No. 1193-49, § 18, 6-1-93)

Section 8.21. Office Institutional District (B-1).

Within the Office Institutional District (B-1) the following uses shall be permitted and within the Special Office Institutional District (B-1-S) the following uses may be permitted:

All uses permitted in a multi-family residential district (R-6A) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Adult day care center provided that such use has a current and valid certification by the N. C. Department of Human Resources and that the number of clients in residence at any one time may be six or more [A]

Automobile parking lots or structures [NR]

Banks and other financial institutions including loan and financial companies. [X]

Cemeteries not in conjunction with a church. [NR]

Clubs, lodges, fraternities, sororities, social, civic, and other similar organizations operated on a nonprofit basis. [Y]

Colleges and universities, public or private. [EE]

Community or neighborhood medical centers. [R]

Dental clinics/offices. [R]

Hospitals and regional medical centers provided:

- (1) They not be primarily for the treatment of contagious diseases, alcoholics, or drug addicts.
- (2) They have a height limitation of 80 feet. (See Section 12.12(3)) [N]

Libraries, museums, and art galleries. [Q]

Medical clinics/offices. [R]

Mental health clinics. [DD]

Nursing homes, rest homes, convalescent homes, assisted living facilities, and similar type charitable institutions not used primarily for the treatment of contagious diseases, alcoholics, or drug addicts. [DD]

Offices, business, professional and public, but excluding any office in which retail trade is conducted and a stock of goods is maintained for sale. [X]

Post offices. [R]

Residential support facility. [O]

Residential treatment facility, level I, II, or III, with an administratively issued permit required [DD], provided that:

- (1) **The proposed facility is located with no less than one-half mile separation from any existing Residential Treatment facility.**
- (2) **The applicant shall have the ability to obtain a license from the NC Department of Health and Human Services**
- (3) **There shall be a demonstrated need for the facility, based on empirical data provided by the applicant**
- (4) **The facility shall house no more than six (6) clients.**

Studios for artists, designers, photographers, and other similar activities. [BB]

Telephone exchange, but not any service or storage yards. [NR]

Accessory uses and structures when located on the same lot as the main structure excluding, however, open storage. [NR]

(Ord. of 5-21-74, § 5; Ord. No. 1976-12, § 2, 2-17-76; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1977-3, § 1, 1-18-77; Ord. No. 1980-47, § 2, 5-6-80; Ord. No. 1982-41, § 2, 8-3-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-75, § 1, 11-6-84; Ord. No. 1985-86, § 1, 10-15-85; Ord. No. 1991-5, § 2, 2-5-91; Ord. No. 1993-45, § 2, 6-1-93; Ord. No. 1993-49, §§ 19, 20, 6-1-93; **Ord. No. 1997-64; Ord. No. 2003-40**)

Section 8.22. Special Office Institutional District (B-1-S).

See section 8.21 above for uses permitted in this district.

(Ord. No. 1193-49, § 19, 6-1-93)

Section 8.23. Limited Office Institutional District (LOI).

Within the Limited Office Institutional District (LOI), the following uses shall be permitted and within the Special Limited Office Institutional District (LOI-S), the following uses listed below may be permitted. Uses in the LOI or LOI-S are permitted provided the minimum lot size is fifteen thousand (15,000) square feet in area, the minimum lot width is eighty (80) feet, and the minimum lot depth is one hundred twenty-five (125) feet or a variance is granted by the zoning board of adjustment concerning lot width or depth:

Dental clinics/offices. [R]

Child day care facilities, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Golf courses, with provisions as outlined in Section 12.13

Libraries, museums, and art galleries. [Q]

Medical clinics/offices. [R]

Nursing homes [DD], not used primarily for the treatment of contagious diseases, alcoholics, or drug addicts.

Offices, business, professional and public, but excluding any office in which retail trade is conducted or a stock of goods is maintained for wholesale or retail trade. [X]

Rest homes, convalescent homes, homes for the aged, rest homes, and similar type charitable institutions not used primarily for the treatment of contagious diseases, alcoholics, or drug addicts. [DD]

Studios for artists, designers, photographers, and other similar activities. [BB]

Accessory structures and uses including swimming pool, community center building, recreation facilities and institutional food services operated in conjunction with convalescent homes, rest homes and similar charitable institutions, nursing homes and clinics provided such are so located as to comply with the front yard and side yard requirements of this district and are located no closer than ten (10) feet to a rear property line or twenty (20) feet from a side street right-of-way.

Banks and other financial institutions, including loan and financial companies.

(Ord. No. 1985-3, § 3, 1-15-85; Ord. No. 1993-45, § 1, 6-1-93; Ord. No. 1993-49, §§ 21, 22, 6-1-93; Ord. No. 1994-44, §, 7-19-94: **Ord. No. 1996-35; Ord. No. 1998-28; Ord. No. 2003-70 § 11-4-03)**

Section 8.24. Special Limited Office Institutional District (LOI-S).

See section 8.23 above for uses permitted in this district.

(Ord. No. 1193-49, § 21, 6-1-93)

Sections 8.25. Hospital Services District (HS).

Within the Hospital Services District (HS) all of the uses as listed within this section shall be permitted and within the Special Hospital Services District (HS-S) all of the uses as listed within this section may be permitted. However, each and every use of property is authorized under group development provisions of Section 12.06. No subsequent site development modifications or changes shall be made to any use so approved unless such use has been authorized under the group development process. Submittal and processing shall be the same as an original submittal.

The review process by the Planning Board and City Council shall provide for an opportunity for property owners, residents, and businesses of the area, the developers, and others to be heard by the Planning Board and City Council.

The provisions of Section 12.06, Group Development, specifically includes within the general review, comments and recommendation section the authority to determine and prescribe the number, location, type and means of ingress and egress for a specific use.

The Planning Board shall recommend and the City Council shall approve the location, width and type of physical buffering for each specific use from adjacent uses and/or property on each individual use, case by case, provided the requirements are equal to or exceed the minimum requirements set out for the Hospital Services District (HS) and under Article X, Landscaping Regulations.

Within the Hospital Services District (HS), the following uses shall be permitted:

Accessory structures, provided such shall be permitted only when set back at least 10 feet from any property line adjoining nonresidential zoning, at least 15 feet from any property line adjoining residential zoning, and at least 20 feet from any street right-of-way line. [NR]

Accessory uses. [NR]

Automatic teller machines. [X]

Automobile parking lots or structures. [NR]

Dental clinics/offices. [R]

Emergency services. [L]

Hospitals and regional medical services. [N]

Medical clinics/offices. [R]

Medical research, experimental, and testing laboratories. [R]

Medical supply stores, provided that the establishment is used exclusively for the sale of medically-related supplies, such as prosthetics, respiratory therapy equipment, beds, walkers, wheelchairs, and other supplies for the elderly, impaired, and/or handicapped. [BB]

Offices, business, professional and public.

Training for nurses and other medical personnel. [HH]”

Section 8.26. Special Hospital Services District (HS-S)

See section 8.25 above for uses permitted in this district.

Section 8.27. Medical Services District

Within the Medical Services District (MED) all of the uses as listed within this section shall be permitted and within the Special Medical Services District (MED-S) all of the uses as listed within this section may be permitted. However, each and every use of property is authorized under group development provisions of Section 12.06. No subsequent site development modifications or changes shall be made to any use so approved unless such use has been authorized under the group development process. Submittal and processing shall be the same as an original submittal.

The review process by the Planning Board and City Council shall provide for an opportunity for property owners, residents, and businesses of the area, the developers, and others to be heard by the Planning Board and City Council.

The provisions of Section 12.06, Group Development, specifically includes within the general review, comments and recommendation section the authority to determine and prescribe the number, location, type and means of ingress and egress for a specific use.

The Planning Board shall recommend and the City Council shall approve the location, width and type of physical buffering for each specific use from adjacent uses and/or property on each individual use, case by case, provided the requirements are equal to or exceed the minimum requirements set out for the Medical Services District (MED) and under Article X, Landscaping Regulations.

Within the Medical Services District (MED), the following uses shall be permitted:

Accessory structures, provided such shall be permitted only when set back at least 10 feet from any property line adjoining nonresidential zoning, at least 15 feet from any property line adjoining residential zoning, and at least 20 feet from any street right-of-way line; further, that they be permitted in a rear yard area only. [NR]

Accessory uses. [NR]

Automatic teller machines. [X]

Automobile parking lots or structures. [NR]

Dental clinics/offices. [R]

Drug stores, with no more than 5,000 square feet. [BB]

Emergency services. [L]

Health care services. [R]

Hospitals and regional medical centers. [N]

Laboratories—medical, dental, optical, research, experimental and testing. [II]

Medical clinics/offices. [R]

Medically-related offices, services, and foundations. [R]

Medically-related retail. [BB]

Medical supply stores, provided that the establishment is used exclusively for the sale of medically-related supplies, such as prosthetics, respiratory therapy equipment, beds, walkers, wheelchairs, and other supplies for the elderly, impaired, and/or handicapped. [BB]

Opticians [R] and optical supply stores. [BB]

Pharmacies. [R]

Physical therapy. [R]

Training for nurses and other medical personnel. [HH]

Wellness centers. [R]

Section 8.28 -- Special Medical Services District (MED-S)

See Section 8.27 above for uses permitted in this district.

Section 8.29 -- 8.30. Reserved.

Section 8.31. Convenience Service Business District (B-CS).

Within the Convenience Service Business District (B-CS) the following uses shall be permitted and within the Special Convenience Service Business District (B-CS-S) the following uses may be permitted:

All uses permitted in the office institutional district (B-1), unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district, as well as the following.

Retail trade:

Antique stores. [BB]

Appliance stores. [BB]

Art stores. [BB]

Automobile lots or structures. [NR]

Bicycle sales and repair. [BB]

Bookstores. [BB]

Camera supply stores. [BB]

Coin-operated game machine establishments. [BB]

Convenience stores, with the issuance of a special use permit as outlined in Section 7.01(5) Special Use Permit, (e). [BB]

Clothing stores. [BB]

Department stores. [BB]

Dressmaking shops. [BB]

Drugstores. [BB]

Fabric stores. [BB]

Florist shops. [BB]

Furniture stores. [BB]

Gift stores. [BB]

Greenhouses or horticultural nurseries which are incidental to the residential use and are conducted as a noncommercial basis. [NR]

Hardware stores. [BB]

Hobby stores. [BB]

Ice cream bars. [BB]

Jewelry stores. [BB]

Music stores. [BB]

Neighborhood grocery stores, with a maximum size of 2,000 square feet and a prohibition of the sale or use of alcoholic products. [BB]

Pet shops. [BB]

Rent-to-own stores. [BB]

Sporting goods stores. [BB]

Stationery stores. [BB]

Restaurant, standard; cafeteria, delicatessen, **carry-out/delivery.** [AA]

Tailor shops. [BB]

Toy stores. [BB]

Variety stores. [BB]

Services:

Automobile service (or filling) stations, but excluding the major overhaul and repair of motor vehicles. Also, that gasoline pumps or other appliances shall be located at least fifteen (15) feet behind the building line and that all bulk fuels shall be stored underground. [K] See section **12.11**, exception for setback of canopies for automobile or filling stations.

Barbershops. [BB]

Beauty shops. [BB]

Household equipment repair. [BB]

Launderettes where individual laundry or drycleaning equipment is rented for use by the customer. [BB]

Lawn mower and small engine service and repair. [BB]

Locksmiths. [BB]

Offices, business, professional and public. [X]

Opticians (and optical services). [R]

Photocopying and offset printing services. [BB]

Shoe repair shops. [BB]

Weight loss clinics. [BB]

Within the convenience service business district (B-CS) the following uses shall be conditional uses:

Retail trade:

Bakeries, provided that the products are sold exclusively at retail and on the premises only. [BB]

Services:

Drycleaning and laundry establishments operated in conjunction with a retail counter provided that such use does not dry clean and launder clothes from collection stations or from other plants removed from the plant located in this district. Such uses shall be

restricted to the use of gas, oil, or electricity as fuel for generating heat for hot water, steam, or any other use, and all boilers or generating units shall be an integral part of the principal building. Such an operation shall eliminate the outside discharge of steam in the process of pressing, ironing, etc. Such establishments shall also be restricted to the use of nonflammable liquids for drycleaning. [BB]

Figure salons. [BB]

Fire stations. [L]

Public utility distribution and transmission lines, but excluding service and storage yards. [NR]

(Ord. No. 1979-25, § 2, 5-15-79; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 2, 7-17-84; Ord. No. 1991-9, § 3, 4-2-91; Ord. No. 1993-45, § 4, 6-1-93; Ord. No. 1993-49, §§ 23, 24, 6-1-93; Ord. No. 1993-85, § 1, 11-16-93; **Ord. 1998-66; Ord. 2000-32; Ord. No.2002-2; Ord. No. 2002-62; Ord. No. 2004-19, 4/6/04 1st Reading, 4/20/04 2nd & Final Reading**)

Section 8.32. Special Convenience Service Business District (B-CS-S).

See section 8.31 above for uses permitted in this district.

(Ord. No. 1193-49, § 23, 6-1-93)

Section 8.33. Retail Business District (B-2).

Within the Retail Business District (B-2) the following uses shall be permitted and within the Special Retail Business District (B-2-S) the following uses may be permitted:

All uses permitted in office institutional district (B-1) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Alcoholic beverages stores (ABC stores and other similar establishments). [BB]

Automotive service centers--But not to include the major overhaul or repair of motor vehicles, provided that all service, storage, or other similar activities connected with such use shall be conducted entirely within the structure. [K] See section **12.11**, exception for setback of canopies for automobile or filling stations.

Automotive service or filling stations--But not to include the major overhaul and repair of motor vehicles, provided that gasoline pumps or other appliances shall be located at least fifteen (15) feet behind the building line; that the storage of merchandise and repair or other similar activities connected with such use shall be conducted entirely within the structure; and that all bulk fuels shall be stored underground. [K]

See section **12.11**, Exception for Setback of Canopies for Automobile Service or Filling Stations.

Bakery--Where the products are sold exclusively at retail on the premises only. [BB]

Barbershops. [BB]

Beauty or figure salons. [BB]

Bicycle sales and repair. [BB]

Camera supply stores. [BB]

Convenience stores. [BB]

Drycleaning and laundry establishments operated in conjunction with a retail service counter provided that **not more than ten thousand (10,000) square feet** are devoted to the complete operation and that such use does not dry clean and launder clothes from collection stations or from other plants removed from the plant located in this district. Such uses shall be restricted to the use of gas, oil or electricity as fuel for generating heat for hot water, steam or any other use, and all boilers or generating units shall be an integral part of the principal building. Provided further that such establishments shall be equipped with an air vacuum system, or other comparable system, to eliminate outside discharge of steam in the process of pressing, ironing, etc. Such establishments shall also be restricted to the use of noninflammable liquids for drycleaning. [BB]

Fast food restaurant. [AA]

Florist shops. [BB]

Grocery stores. [BB]

Ice cream bars. [BB]

Laundrettes where individual laundry or drycleaning equipment is rented for use by the customer. [BB]

Motels [V], motor hotels [V], and hotels. [O]

Public utilities, but not service or storage yards. [NR]

Restaurant, standard; cafeteria, delicatessen, **carry-out/delivery**. [AA]

Retail establishments, such as department, clothing, variety, drug, furniture, fabric, hardware, appliance, jewelry, music, art, antique, gift, sporting goods, toy, hobby, book, and stationery stores. [BB]

Shoe repair shops. [BB]

Theaters, housed in a permanent structure. [Y]

Weight loss clinics. [BB]

Accessory uses and structures when located on the same lot as the main structure excluding open storage. [NR]

(Ord. of 3-15-66, § 1; Ord. of 5-2-67, §§ 1, 2; Ord. of 6-6-67, §§ 1, 2; Ord. of 4-2-68, § 1; Ord. of 5-21-74, § 5; Ord. No. 1975-24, § 1, 4-15-75; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 1, 7-17-84; Ord. No. 1991-9, § 2, 4-2-91; Ord. No. 1993-45, § 3, 6-1-93; Ord. No. 1993-49, §§ 25, 26, 6-1-93; **Ord. No. 1996-35; Ord. No. 2002-62**)

Section 8.34. Special Retail Business District (B-2-S).

See section 8.33 above for uses permitted in this district.
(Ord. No. 1193-49, § 25, 6-1-93)

Section 8.35. Retail Trade Business District (B-RT).

Within the Retail Trade Business District (B-RT) the following uses shall be permitted and within the Special Retail Trade District (B-RT-S) the following uses may be permitted:

All uses permitted in a retail business district (B-2) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district, and excluding the following permitted use in B-2: fast food restaurants. [AA]

Car detailing, including washing and waxing of vehicles within an enclosed building. [C]

Car rentals. [BB]

Coin-operated game machine establishments, including video arcades. [BB]

Emergency services, including ambulance stations. [L]

Fire stations. [L]

Florist or garden shops, for retail only, with outdoor display of plants and horticultural materials and supplies permitted as an accessory use, but not including commercial greenhouses where plants and/or flowers are grown or stored for wholesale distribution. [BB]

Funeral homes. [U]

Lawn mower and small engine service and repair. [BB]

Household equipment repair. [BB]

Locksmiths or gunsmiths. [BB]

Motorcycle or moped sales and service, including parts, provided all uses are conducted entirely within the principal structure and located in the B-RT district only. [BB]

Opticians and optical services. [R]

Pet shops. [BB]

Photocopying and offset printing services, provided that not more than four thousand (4,000) square feet of gross floor area are devoted to the complete operation. [BB] (See photocopying, etc., under conditional use of this district.)

Public utility distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges but not service or storage yards. [NR]

Rent-to-own stores. [BB]

Service or filling stations, but not including major repair work, provided that gasoline pumps or other appliances shall be located at least twelve (12) feet behind the property line, and all service, storage or similar activities connected with such use shall be conducted entirely within the premises. [K] See section **12.11**, exception for setback of canopies for automobile or filling stations.

Tailor and dressmaking shops. [BB]

Video stores. [BB]

Accessory uses and structures when located on the same lot as the main structure excluding, however, open storage. [NR]

Within a retail trade business district, the following conditional uses are permitted:

Automobile sales of used cars only, including minor servicing but not including any major repair or overhaul of motors, transmissions, or any body work other than cleaning and polishing provided that such service, except for the cleaning, and polishing, shall be conducted entirely within an enclosed structure. In granting this conditional use, the zoning board of adjustment, in addition to restrictive conditions specified in section 4.02, may set a limitation on the amount of land used for this purpose. [C]

Bakeries, where the products are sold exclusively on the premises, may as a conditional use produce bakery products for off-site sale provided the total production area for bakery goods for both on-site and off-site sales shall not exceed two thousand (2,000) square feet. [BB]

Photocopying and offset printing services, provided that only presses using cut paper be used and that the floor area may exceed four thousand (4,000) square feet of gross floor area but not exceed ten thousand (10,000) square feet of gross floor area devoted to the complete operation, including warehousing directly related to the production on premises. [BB] (See photocopying, etc., above this district for such uses not exceeding four thousand (4,000) square feet of gross floor area.)

(Ord. of 5-3-66, § 2; Ord. of 1-15-74, § 1; Ord. of 5-21-74, § 6; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1976-56, § 1, 10-19-76; Ord. No. 1979-24, § 2, 5-15-79; Ord. No. 1979-25, § 3, 5-15-79; Ord. No. 1982-12, § 1, 3-16-82; Ord. No. 1982-70, § 1, 10-5-82; Ord. No. 1983-22, § 1, 4-5-83; Ord. No. 1983-67, § 1, 9-20-83; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-54, § 1, 7-17-84; Ord. No. 1984-55, § 3, 7-17-84; Ord. No. 1985-27, §§ 1, 2, 4-2-85; Ord. No. 1985-28, § 1, 4-2-85; Ord. No. 1985-90, § 1, 11-19-85; Ord. No. 1986-3, § 1, 1-7-86; Ord. No. 1991-9, § 4, 4-2-91; Ord. No. 1993-45, § 5, 6-1-93; Ord. No. 1993-49, §§ 27, 28, 6-1-93; Ord. No. 1993-85, § 2, 11-16-93; **Ord No. 1998-20; Ord. No. 1999-49; Ord No. 2001-84; Ord No. 2002-16**)

Section 8.36. Special Retail Trade Business District (B-RT-S).

See section 8.35 above for uses permitted in this district.
(Ord. No. 1193-49, § 27, 6-1-93)

Section 8.37. Highway Business District (B-4).

Within the Highway Business District (B-4) the following uses shall be permitted and within the Special Highway Business District (B-4-S) the following uses may be permitted:

All uses permitted in the retail trade business district unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Adult establishments: adult arcades [BB], adult bookstores [BB], adult cabarets/clubs [Y], adult live entertainment [Y], adult live entertainment businesses [Y], adult motels [V] or hotels [O], adult motion picture theaters [Y], adult mini-motion picture theaters [Y], adult theaters [Y], adult video stores [BB], escort agencies [X], massage businesses [BB], nude model studios [BB], and sexual encounter centers [Y]. (See Section 13.03 for regulations.)

Automobile sales and storage, but not major repair work. [C]

Baseball batting cages and other similar recreational facilities. [BB]

Billiard or pool halls [Z]

Bowling alleys. [D]

Car washes: automatic, self-service, and full service. [BB]

Carpet cleaning establishments. [BB]

Clubs and other places of entertainment, including taverns, bars, lounges, nightclubs and cabarets. [Y]

Drive-in restaurant. [AA]

Fast food restaurant. [AA]

Fortune tellers, palm readers, psychics, astrologers, tarot card readers, and other related uses. [BB]

Golf driving ranges, miniature golf courses, and other similar recreational facilities. [BB]

Indoor paintball facilities. [BB]

Mobile home sales. [BB]

Produce and fruit stands. [BB]

Skating rinks, permanent. [Y]

Swimming pools, commercial. [KK]

Tennis courts, commercial. [LL]

Theaters, drive-in, subject to the following conditions:

- (a) No part of any theater screen, projection booth, or other building shall be located closer than five hundred (500) feet to any residential district or closer than fifty (50) feet to any property line or public right-of-way; and no parking space shall be located closer than one hundred (100) feet to any residential district;
- (b) The theater screen shall not face a major street or highway;
- (c) Auxiliary parking space off the street shall be provided for patrons awaiting admission in an amount not less than thirty (30) percent of the vehicular capacity of the theater. [Y]

Accessory uses and structures when located on the same lot as the main structure excluding, however, open storage. [NR]

(Ord. of 4-9-64, § 8.07; Ord. of 3-23-65, § 1; Ord. of 5-18-65, § 1; Ord. of 5-21-74, § 7; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1979-26, § 1, 5-15-79; Ord. No. 1980-46, § 1, 5-6-80; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 4, 7-17-84; Ord. No. 1986-61, § 1, 9-2-86; Ord. No. 1993-45, § 6, 6-1-93; Ord. No. 1993-49, §§ 29, 30, 6-1-93; **Ord. No. 1995-3; Ord. No. 1996-2; Ord. No. 1996-35; Ord. No. 1999-49; Ord. No. 2002-16; Ord. No. 2004-03 2/17/04**)

Section 8.38. Special Highway Business District (B-4-S).

See section 8.37 above for uses permitted in this district.
(Ord. No. 1193-49, § 29, 6-1-93)

Section 8.39. Central Business District (B-5).

Within the Central Business District (B-5) the following uses shall be permitted and within the Special Central Business District (B-5-S) the following uses may be permitted:

All uses permitted in a highway business district (B-4) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district, and excluding the following permitted uses in B-4:

Adult establishments as listed in Section 8.37.

Billiard or pool halls. [Z]

Coin-operated game machine establishments, including video arcades. [BB]

Drive-in restaurant. [AA]

Fortune tellers, palm readers, psychics, astrologers, tarot card readers, and other related uses. [BB]

Indoor paintball facilities. [BB]

Mobile home sales. [BB]

Theaters, drive-in. [Y]

Bus stations (or terminals). [Y]

Business colleges, barber and beauty schools, art schools, music schools and similar organizations, but not vocational trade schools, all without students in residence. [HH]

Depots (or railroad stations). [NR]

Emporiums in which individual, unmanned spaces are leased for the sale of wares, crafts, food, etc., within an enclosed building. [JJ]

Farmers market which is organized for the seasonal market of agricultural commodities, but not including the sale or distribution of live stock or butchered livestock, by farmers provided that :

- (1) Adequate solid waste disposal units, with a minimum of one (1) six cubic yard capacity unit for every 25 booths available on the site;
- (2) Adequate toilet facilities, either portable or permanent, with a minimum of one (1) unit for every 25 booths available on the site, with a limitation of eight (8) toilet facilities.
- (3) Site is sufficiently stabilized to prevent erosion in the sales area and the off-street parking area, and otherwise meets the parking space requirements under [J] in Section 7.02, Off-Street Automobile Parking and Storage, unless the property is in the parking exempt area as described in Section 7.06.
- (4) Sale of commodities, other than produce, be limited to handicrafts, art crafts, and horticultural items such as flowers and other plants.
- (5) Canopies may be allowed, with no limitation on size or height; however, canopies shall not have any lettering.
- (6) In addition to pole displays that are already allowed, additional pole displays may be affixed to poles supporting the canopies.

General contractors' offices provided that:

- (1) Outdoor storage areas are screened on all sides by either a building wall or an opaque fence with a minimum height of 6 ft.
- (2) Outdoor storage areas are no closer than 25 ft. to a front property line.
- (3) Outdoor storage areas are located no closer to the front property line than the front wall of the building.

Jails and justice centers -- city or county facilities [JJ]

Newspaper offices and printing plants incidental to such offices. [X]

Newsstands. [BB]

Office equipment and supplies, sales and service. [BB]

Optical supplies sales. [BB]

Pawnshops. [BB]

Police stations. [L]

Printing, publishing, and reproduction establishments. [BB]

Radio and television stations, studios and offices. [X]

Taxicab office or stand. [X]

Telegraph or messenger service office. [X]

Theaters, not including outdoor drive-in theaters. [Y]

Upholstery shops. [BB]

Youth clubs, nonalcoholic, for persons under 21 years of age, provided the establishments be closed by 11:00 p.m. [Y]

Accessory uses and structures when located on the same lot as the main structure, excluding, however, open storage. [NR]

Within the Central Business District (B-5), the following conditional use may be permitted :

Cabinet and woodworking shops.

(Ord. of 5-21-74, § 4; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 5, 7-17-84; Ord. No. 1993-45, § 7, 6-1-93; Ord. No. 1993-49, §§ 31, 32, 6-1-93; **Ord. No. 1995-3; Ord. No. 1996-3; Ord. No. 1997-18; Ord. No. 2002-62; Ord. No. 2003-69, 10-21-03; Ord. No. 2004-03 2/17/04; Ord. No. 2004-15 3/16/04 & 4/6/04; Ord. No. 2004-27 5/18/04; Ord. No. 2004-41; 6/15/04))**

Section 8.40. Special Central Business District (B-5-S).

See section 8.39 above for uses permitted in this district.
(Ord. No. 1193-49, § 31, 6-1-93)

Section 8.41. General Business District (B-6).

Within the General Business District (B-6) the following uses shall be permitted and within the Special General Business District (B-6-S) the following uses may be permitted:

All uses permitted in a central business district (B-5) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Animal hospital or veterinary clinic, but no open kennels on the premises. [R]

Adult establishments; adult arcades [BB], adult bookstores [BB], adult cabarets/clubs [Y], adult live entertainment [Y], adult live entertainment businesses [Y], adult motels [V] or hotels [O], adult motion picture theaters [Y], adult mini-motion picture theaters [Y], adult theaters [Y], adult video stores [BB], escort agencies [X], massage businesses [BB], nude model studies [BB], and sexual encounter centers [Y]. (See Section 13.03 for regulations.)

Assembly halls [Y], coliseums [Y], gymnasiums [M], and similar structures.

Automobile repair and paint shops. [C]

Bakeries. [BB]

Billiard or pool halls. [Z]

Building supply and equipment sales. [BB]

Business colleges, barber and beauty schools, art schools, music schools, and similar schools--all without students in residence. [HH]

Car wrecker service. [C]

Coin-operated game machine establishments, including video arcades. [BB]

Drive-in restaurant. [AA]

Drycleaning and laundry establishments. [BB]

Electrical appliances, sales and repair. [BB]

Fast food restaurant. [AA]

General contractors' offices. [X]

Greenhouses or horticultural nurseries. [BB]

Indoor shooting (firing) ranges provided that:

- (1) No part of the property shall be within one thousand (1,000) feet of an existing school, church, or day care facility;
- (2) All parking shall be on the premises;
- (3) The owner shall comply with all safety and other city regulations. [MM]

Light manufacturing or processing operations such as sewing operations, garment industries, luggage manufacturing, bottling, and milk bottling establishments, not creating or likely to create either smoke, dust, noise, fumes or vibrations which are detrimental or likely to become detrimental to the health, safety or general welfare of this zoning district or the community. [II]

Miniwarehousing as defined in section 4.02 provided such miniwarehousing shall not be located any closer to adjoining structures or buildings than thirty (30) feet and no storage is allowed of uncured hides, explosives, oil products, gas products or any flammable, toxic, or hazardous products. [JJ]

Mobile home sales. [BB]

Plumbing shops. [II]

Retail warehouse. [BB]

Service or filling stations--Provided that in this district canopies attached to the principal structure may extend into the required front yard and closer than thirty-five (35) feet to any street right-of-way, subject to compliance with the following requirements:

1. A safe site distance shall be maintained at street intersections and driveways relative to traffic and traffic control devices.
2. The canopy shall be no closer than eighteen (18) inches to any exterior property line (street right-of-way line) or ten (10) feet to any interior property line. [K]
3. Any sign shall be no lower than ten (10) feet to the surface of the area the canopy covers.

See section **12.11**, exception for setback of canopies for automobile or filling stations.

Sign painting. [BB]

Tattoo parlors. [BB]

Theaters, drive-in, subject to the following conditions:

- (a) No part of any theater screen, projection booth, or other building shall be located closer than five hundred (500) feet to any residential district or closer than fifty (50) feet to any property line or public right-of-way; and no parking space shall be located closer than one hundred (100) feet to any residential district;
- (b) The theater screen shall not face a major street or highway;
- (c) Auxiliary parking space off the street shall be provided for patrons awaiting admission in an amount not less than thirty (30) percent of the vehicular capacity of the theater. [Y]

Tire recapping and retreading. [BB]

Wholesale and warehouse establishments except for the storage of uncured hides, explosives, oil products, gas storage, etc. [II]

Within the general business district (B-6), the following conditional uses may be permitted:

Flea markets may be authorized by the zoning board of adjustment provided that:

- (a) The location is solely within the general business district (B-6);
- (b) Such conditional use is conducted by a nonprofit or charitable organization; and

- (c) The booth or space rental and the proceeds from such sale and any associated concessions are for charitable purposes.

Further, that applications to the zoning board of adjustment for this conditional use shall be accompanied by a letter endorsing this request from:

- (a) The owner of the principal use where this conditional use is to be located;
- (b) The organization sponsoring the activity; and
- (c) Those who are to receive the charitable proceeds.

The zoning board of adjustment shall stipulate the following conditions:

- (1) Whether the conditional use is to be in operation when the principal use is in operation or closed;
- (2) An area equal to that encumbered by booths and concessions (not including aisles) shall be provided for parking, subject to the other provisions of [J] section 7.02, Off-street parking;
- (3) Hours of operation per day specifying the hour of opening and closing as well as the hour at which setup may begin and removal activities terminate;
- (4) Specific days of the week such operation and activities may take place;
- (5) Set the beginning and ending dates for such approval provided they shall not exceed three (3) months, and they may be renewed;
- (6) Type and location of signs identifying flea market and lighting provided such is in keeping with article IX of the zoning ordinance;
- (7) Stipulate whether produce may or may not be sold;
- (8) Other conditions as the zoning board of adjustment deems appropriate to the specific case;
- (9) And provided that should any such authorized conditional use cause, create, or contribute to any activity or condition considered by the zoning administrator to be a nuisance, as defined by the ordinances of the City of Salisbury, the zoning administrator may terminate the certificate of occupancy of the conditional use until the nuisance and/or conditions related thereto shall have been abated.

(Ord. of 4-9-64, § 8.09; Ord. of 5-8-65, § 1; Ord. of 4-2-68, § 1; Ord. of 5-21-74, § 4; Ord. No. 1976-30, §§ 1, 2, 5-18-76; Ord. No. 1976-33, § 2, 6-1-76; Ord. No. 1981-39, § 1, 8-18-81; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 6, 7-17-84; Ord. No. 1985-80, § 4, 9-17-85; Ord. No. 1986-20, § 5, 5-6-86; Ord. No. 1986-67, § 2, 10-21-86; Ord. No. 1988-21, § 1, 5-3-88; Ord. No. 1991-9, § 5, 4-2-91; Ord. No. 1993-33, § 1, 5-18-93; Ord. No. 1993-45, § 8, 6-1-93; Ord. No. 1993-49, §§ 33, 34, 6-1-93; Ord. No. 1993-87, § 1, 11-16-93; **Ord. No. 1995-3, Ord. No. 1996-35; Ord No. 1998-20; Ord. No. 2002-62)**

Section 8.42. Special General Business District (B-6-S).

See section 8.41 above for uses permitted in this district.

(Ord. No. 1193-49, § 33, 6-1-93)

Section 8.43. Limited Business District (B-7).

Within the Limited Business District (B-7) all of the uses as listed within this section shall be permitted and within the Special Limited Business District (B-7-S) all of the uses as listed within this section may be permitted. However, each and every use of property is authorized under group development provisions of section **12.06**. No subsequent site development modifications or changes shall be made to any use so approved unless such use has been authorized under the group development process. Submittal and processing shall be the same as an original submittal.

The review process by the planning board shall provide for an opportunity for residents and businesses of the area, the developer and others to be heard by the planning board.

The provisions of section **12.06**, Group development, specifically includes within the general review and comments and recommendation section the authority to determine and prescribe the number, location, type and means of egress and ingress for a specific use.

The planning board shall determine the location, width, and type of physical buffering (screening) required for each specific use from adjacent uses and/or property on each individual use, case by case, provided the requirements are equal to or exceed the minimum requirements set out in appendix B for the limited business district (B-7).

Within a limited business district (B-7), the following uses shall be permitted:

Accessory uses and structures which are clearly incidental to a permitted use and which will not create a nuisance or hazard when located on the same lot as the main structure excluding, however, open storage but including swimming pools. [NR]

Adult day care center provided that such use has a current and valid certification by the N.C. Department of Human Resources and that the number of clients in residence at any one time may be six (6) or more. [A]

Adult day care home provided such use has a current valid certification by the N.C. Department of Human Resources, that there shall be no more than five (5) clients in residence at any one time, and such use is not located within one-quarter mile of an existing adult day care home. [B]

Alcoholic beverage stores (ABC stores and other similar establishments). [BB]

Animal hospitals or veterinary clinics for small animals practice only, but with no open kennels on the premises and no boarding of animals permitted. [R]

Auditoriums and coliseums. [Y]

Automobile parking lots or structures. [NR]

Automobile sales and services with the sale of used cars permitted only as an accessory use to the sales of new cars and with the major repair and overhaul of motor vehicles being conducted entirely within the structure. [C]

Automotive services centers, but not to include the major overhaul or major repair of motor vehicles, provided that all service, storage, or other similar activities connected with such use shall be conducted entirely within the structure. [K]

Automotive service or filling stations but not to include the major repair of motor vehicles, provided that gasoline pumps or other appliances shall be located at least fifteen (15) feet behind the building line, that the storage of merchandise and repair or other similar activities connected with such use shall be conducted entirely within the structure, and that all bulk fuels shall be

stored underground. [K] See section **12.11**, exception for setback of canopies for automobile or filling stations.

Bakeries where the products are sold exclusively at retail on the premises only. [BB]

Banks and other financial institutions including loan and financial companies with drive-in windows permitted. [X]

Barbershops. [BB]

Baseball batting cages and other similar recreational facilities. [BB]

Beauty or figure salons. [BB]

Bicycle sales and repairs. [BB]

Bowling alleys. [D]

Building supplies and equipment sales, excluding open storage and sheds, fabricating or assembly. [BB]

Business colleges, barber and beauty schools, art schools, music schools, vocational trade schools and similar organizations, all without students in residence. [EE]

Camera supply stores. [BB]

Car rentals, with no sale of automobiles. [BB]

Car washes: automatic, self-service and full service. [BB]

Child day care facilities, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Churches and related uses. [E]

Clubs, lodges, fraternities, sororities, social, civic and other similar organizations operated on a nonprofit basis. [Y]

Clubs or other places of entertainment carried on wholly within a completely enclosed building. [Y]

Community centers. [M]

Convenience stores. [BB]

Dental offices and clinics. [R]

Drive-in restaurant. [AA]

Drycleaning and laundry establishments operated in conjunction with a retail service counter, provided that **not more than ten thousand (10,000) square feet** are devoted to the complete operation and that such use does not dry clean and launder clothes from collection stations or from other plants removed from the plant located in this district. Such uses shall be restricted to the use of gas, oil or electricity as fuel for generating heat for hot water, steam or any other use, and all boilers or generating units shall be an integral part of the principal building. Provided, further, that such establishments shall be equipped with an air vacuum system or other comparable system to

eliminate outside discharge of steam in the process of pressing, ironing, etc. Such establishments shall also be restricted to the use of noninflammable liquids for drycleaning. [BB]

Electrical appliances, sales and repair. [BB]

Family care homes. [FF]

Supervised living facility, with no more than 6 clients. [FF]

Fast food restaurant. [AA]

Fire and police stations. [L]

Florist shops. [BB]

General contractors' offices excluding sheds, fabricating or assembly. [X]

Gift shops. [BB]

Golf courses, with provisions as outlined in Section 12.13.

Golf driving ranges, miniature golf courses and other similar recreation facilities. [BB]

Grocery stores. [BB]

Hospitals [N], nursing homes [DD], and medical health clinics [DD] not used primarily for the treatment of contagious diseases, alcoholics or drug addicts.

Ice cream bars. [BB]

Indoor paintball facilities. [BB]

Industrial research and educational facilities without students in residence, provided that no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety, or general welfare of the community or otherwise create a nuisance. [II]

Jewelry sales and repairs. [BB]

Launderettes where individual laundry or drycleaning equipment is rented for use by the customer. [BB]

Libraries, museums, and art galleries. [Q]

Locksmiths and gunsmiths. [BB]

Medical offices and clinics. [R]

Motels [V], motor hotels [V], and hotels. [O]

Multifamily dwellings. [W]

Newspaper offices. [X]

Newsstands. [BB]

Offices, business, professional and public. [X]

Office equipment and supplies, sales and service. [BB]

Opticians and optical services. [BB]

Opticians [R], and optical supply sales. [B]

Parks, playgrounds, community centers and picnic areas operated on a noncommercial basis for recreational purposes only. [NR]

Pawnshops. [BB]

Pet shops, small animals, provided that all display and keeping of animals is done entirely within the structure and no open kennels or similar confinement is permitted on the premises. [BB]

Post offices. [R]

Public utility distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges but not service or storage yards. [NR]

Produce and fruit stands. [BB]

Radio and television stations, studios, and offices excluding masts. [X]

Rent-to-own stores. [BB]

Restaurant, standard; cafeteria; delicatessen, **carry-out/delivery**. [AA]

Retail establishments, such as department, clothing, variety, drug, furniture, fabric, hardware, appliance, music, art, antique, gift, sporting goods, toy, hobby, book, and stationery stores. [BB]

Retail warehouse. [BB]

Shoe repair shops. [BB]

Skating rinks, permanent. [Y]

Studios for artists, designers, photographers, and other similar activities. [BB]

Tailor and dressmaking shops. [BB]

Taxicab offices or stands. [X]

Telegraph or messenger service offices. [X]

Theaters, not including outdoor drive-in theaters. [Y]

Tire recapping and retreading for passenger car tires only, with all operations and storage being conducted entirely within the structure. [BB]

Video stores. [BB]

Weight loss clinics. [BB]

Within a limited business district (B-7), the following conditional uses may be permitted:

Aluminum collection center, provided that:

- (a) The operation involves only the purchase and transportation of aluminum cans and miscellaneous aluminum scrap;
- (b) There is no on-site processing of material;
- (c) There is no outside storage of material; and
- (d) The operation does not in any way obstruct traffic or impede traffic flow on the site.

Wholesale garden shop supply establishment, provided that:

- (1) The front yard setback be at least seventy-five (75) feet, with side and rear yard setback requirements at least the minimum as specified for the B-7 district in section **11.01**;
- (2) Hours of operation be no earlier than 6:00 a.m. nor later than 9:00 p.m.;
- (3) Outside storage of organic materials be permitted;
- (4) Outside storage of inorganic materials be permitted only if completely screened from public view where such materials cannot be seen from the edge of any property line;
- (5) Outside storage of any materials be limited to the side and/or rear yards only; there shall be no outside storage in the front yard area.

(Ord. of 6-6-67, § 2; Ord. of 5-21-74, § 5; Ord. No. 1975-24, § 1, 4-15-75; Ord. No. 1981-45, § 2, 10-6-81; Ord. No. 1982-41, §§ 1, 2, 8-3-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1984-55, § 7, 7-17-84; Ord. No. 1986-18, § 1, 4-1-86; Ord. No. 1986-84, § 1, 12-2-86; Ord. No. 1990-4, § 1, 2-6-90; Ord. No. 1991-9, § 6, 4-2-91; Ord. No. 1993-45, § 9, 6-1-93; Ord. No. 1993-49, §§ 35, 36, 6-1-93; Ord. No. 1994-44, § 7, 7-19-94; **Ord. No. 1996-35; Ord. No. 1996-59; Ord. 1998-28; Ord. No. 1999-49, Ord. No. 2001-84; Ord. No. 2002-16; Ord. No. 2002-62; Ord. No. 2003-40; Ord. No. 2004-03 2/17/04**)

Section 8.44. Special Limited Business District (B-7-S).

See section 8.43 above for uses permitted in this district.

(Ord. No. 1193-49, § 35, 6-1-93)

Sections 8.45--8.50. Reserved.

Section 8.51. Light Industrial District (M-1).

Within the Light Industrial District (M-1) the following uses shall be permitted and within the Special Light Industrial District (M-1-S) the following uses may be permitted:

All uses permitted in a general business district (B-6) unless otherwise authorized to a different extent by a specific permitted uses reference or stipulation for this district, and excluding the following permitted uses in B-6:

- (a) **Adult establishments as listed in section 8.41.**
- (b) **Billiard or pool halls**

Otherwise, all uses allowed in B-6 are allowed in M-1, plus the following:

Airports--As approved by the zoning board of adjustment upon satisfactory demonstration to this board that no physical damage will result to properties lying near the airport or within the landing approach zones as a result of normal airport operations. Exhibits to be presented to the zoning board of adjustment shall include a scaled drawing of the airport plan, showing the location of

buildings, runways, aircraft taxiways and parking ramps, fuel storage areas, roads and automobile parking areas. Also to be shown is a scaled map showing the boundary of the airport and surrounding properties for five hundred (500) feet for land not lying within a landing approach zone, and one thousand five hundred (1,500) feet for land lying within any landing approach zone. Normal operational heights of aircraft within this one thousand five hundred (1,500) feet shall be shown at five-hundred-foot intervals. [NR]

Aluminum processing. [II]

Automobile parking and storage. [NR]

Automobile repair garages. [C]

Bakeries and other establishments manufacturing prepared foods and miscellaneous food products. [II]

Bedding, carpet and pillow manufacturing, cleaning and renovating. [II]

Bottling plants. [II]

Bus repair and storage terminals. [II]

Cabinet and woodworking shops. [BB]

Clothing manufacturing. [II]

Contractors' plants or storage yards. [II]

Dairy products processing plants. [II]

Drycleaning and laundry plants. [II]

Farm machinery assembly, repair and sales. [II]

Flea markets. [J]

Food processing in wholesale quantity except meat, fish, poultry, vinegar and yeast. [II]

Furniture manufacture plants. [II]

Ice plants. [II]

Indoor paintball facilities. [BB]

Industrial research and educational facilities. [II]

Instruments manufacturing for professional, scientific, control photography, optical, and similar uses. [II]

Leather products manufacturing. [II]

Luggage manufacturing. [II]

Lumberyards, building materials storage and sale. [II]

Machine shops. [BB]

Mobile home parks, with provisions as outlined in Section 12.07. [T]

Pharmaceutical manufacturing. [II]

Plumbing shops and storage yards. [II]

Prisons -- minimum security facilities [JJ]

Radio and television masts. [X]

Repair and service of office and household equipment. [BB]

Service or filling stations. [K] See section **12.11**, exception for setback of canopies for automobile or filling stations.

Sheet metal shops. [II]

Textile manufacturing. [II]

Tobacco processing and storage. [II]

Trucking terminals. [II]

Venetian blind manufacturing, contractor, cleaning shops. [II]

Vocational workshops. [NN]

Wholesale and warehouse establishments except for the storage of uncured hides, explosives, oil products, gas storage, etc. [II]

Accessory uses and buildings which are clearly incidental to a permitted use and which will not create a nuisance or hazard. [NR]

Light manufacturing or processing not otherwise named herein provided no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety or general welfare of the community. [II]

(Ord. of 4-9-64, § 8.09; Ord. of 5-18-65, § 1; Ord. of 5-3-66, § 4; Ord. of 5-21-74, § 6; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-67, § 1, 10-21-86; Ord. No. 1991-9, § 7, 4-2-91; Ord. No. 1993-45, § 10, 6-1-93; Ord. No. 1993-49, §§ 37, 38, 6-1-93; **Ord. No. 1995-3; Ord. No. 1996-35; Ord. No. 1997-18; Ord. No. 1999-47; Ord. No. 1999-49; Ord. No. 1999-71; Ord. No. 2002-16; Ord. No. 2004-03 2/17/03**)

Section 8.52. Special Light Industrial District (M-1-S).

See section 8.51 above for uses permitted in this district.

(Ord. No. 1193-49, § 37, 6-1-93)

Section 8.53. Limited Light Industrial District (LLI).

Within the Limited Light District (LLI) all uses permitted in the B-6 General Business District and the M-1 Light Industrial District shall be permitted. Within the Special Limited Light Industrial District (LLI-S) all uses permitted in the B-6 General Business District and the M-1 Light Industrial District may be permitted. **However, the following uses shall be prohibited from the LLI and LLI-S districts;**

- (a) **single-family residential**
- (b) **two family residential**
- (c) **multi-family residential**
- (d) **mobile home parks**
- (e) **indoor shooting (firing) ranges**
- (f) **prisons -- minimum security facilities**
- (g) **adult establishments as listed in Section 8.41**
- (h) **billiard or pool halls**

Each and every use of property shall be authorized under group development provisions of section **12.06**.

No subsequent site development modification or change shall be made to any use so approved unless such use has been authorized under the group development process. Submittal and processing shall be the same as an original submittal.

The review process by the planning board in developing its recommendation and the consideration of the proposal and planning board recommendation to city council shall provide for an opportunity for the residents of the area, the developer and others to be heard by the planning board and the city council, respectively.

The provisions of section **12.06**, group development, specifically include within the general review and comment and recommendation sections the authority to determine and prescribe the number, location, type and means of egress and ingress for a specific use.

The planning board shall recommend and the city council shall determine the front, rear and side yards, the composition and location, size (including height) of structures and other uses (including parking and storage) and the type of physical buffering (screening) required for each specific use from adjacent uses and/or property on each individual use, case by case, provided the requirements are equal to or exceed the following minimum requirements.

- (a) Yard requirements:
 - (1) The minimum front, side and rear yard setback for a principal use or structure from a public street shall be fifty (50) feet.
 - (2) The minimum side, rear or front yard setback of one hundred (100) feet shall be provided when property in an LLI district directly abuts property in a residential district and is not separated therefrom by a public street.
- (b) Uses in required yards:
 - (1) There shall be no principal or accessory structures or uses in any required front, side or rear yard except as provided for herein and signs as provided for in article IX.
 - (2) Parking shall be no closer than thirty (30) feet to any street right-of-way abutting a required front, side or rear yard.
 - (3) Parking shall be no closer than seventy-five (75) feet to any abutting residentially zoned property not separated from LLI property by a public street.
 - (4) Accessory uses or structures shall be no closer than seventy-five (75) feet to any abutting residentially zoned property not separated from LLI property by a public street.

- (c) The maximum height in the limited light industrial district shall be seventy-five (75) feet. (See section **11.03**, also)
- (d) Off-street parking and sign requirements shall be those in articles VII and IX, respectively.
- (e) All other sections of this Zoning Ordinance shall also be applicable.

(Ord. No. 1980-25, § 1, 4-1-80; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-67, § 4, 10-21-86; Ord. No. 1993-46, § 4, 6-1-93; Ord. No. 1993-49, §§ 39, 40, 6-1-93; Ord. No. 1993-87, § 3, 11-16-93;. **Ord No. 1995-3; Ord. No. 1996-35; Ord. No. 1999-47; Ord. No. 2002-16**)

Section 8.54. Special Limited Light Industrial District (LLI-S).

See section 8.53 above for uses permitted in this district.

(Ord. No. 1193-49, § 39, 6-1-93)

Section 8.55. Limited Light Industrial-2 District (LLI-2).

Within the Limited Light Industrial-2 District (LLI-2) all uses permitted in the B-6 General Business District and the M-1 Light Industrial District shall be permitted, except those exceptly prohibited below. Within the Special Limited Light Industrial-2 District (LLI-2-S) all uses permitted in the B-6 General Business District and the M-1 Light Industrial District may be permitted, except those expressly prohibited below:

- (a) Single-family residential;
- (b) Two-family residential;
- (c) Multifamily residential;
- (d) Flea markets;
- (e) Fast food restaurants;
- (f) Drive-in restaurants;
- (g) Service or filing stations;
- (h) Clubs or others places of entertainment.
- (i) **Prisons -- minimum security facilities**
- (j) **Adult establishments as listed in Section 8.41.**
- (k) **Billiard or pool halls [Z]**

Each and every use of property shall be authorized under group development provisions of section **12.06**. In addition, the following requirements shall be applicable:

- (1) For any properties in LLI-2 or LLI-2-S districts which directly abut properties in a residential district and are not separated therefrom by a public street, a minimum side or rear or front yard setback of fifty (50) feet shall be provided for such abutting portion of the LLI-2 or LLI-2-S property.

- (2) The maximum height in the LLI-2 and LLI-2-S districts shall be forty (40) feet.
- (3) Parking shall be no closer than twenty (20) feet to any abutting residentially zoned property not separated from LLI-2 or LLI-2-S property by a public street.
- (4) All drives and parking areas shall be paved with bituminous or concrete or brick or other similar material.
- (5) Accessory uses or structures shall be no closer than twenty (20) feet to any abutting residentially zoned property not separated from LLI-2 or LLI-2-S property by a public street.
- (6) There shall be no open storage.
- (7) There shall be no use which creates or is likely to create smoke, fumes, noise, odor, vibrations, or dust.

(Ord. No. 1983-71, § 3, 10-4-83; Ord. No. 1984-13, § 1, 2-7-84; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-46, § 5, 6-1-93; Ord. No. 1993-49, §§ 41, 42, 6-1-93; **Ord. No. 1995-3; Ord. No. 1996-35; Ord. No. 1997-18; Ord. No. 2002-16**)

Section 8.56. Special Limited Light Industrial-2 District (LLI-2-S).

See section 8.55 above for uses permitted in this district.

(Ord. No. 1193-49, § 41, 6-1-93)

Section 8.57. Heavy Industrial District (M-2).

Within the Heavy Industrial District (M-2) the following uses shall be permitted and within the Special Heavy Industrial District (M-2-S) the following uses may be permitted:

All uses permitted in a light industrial district (M-1) unless otherwise authorized to a different extent by a specific permitted use reference or stipulation for this district.

Automobile wrecking yards and similar types of used materials industries when conducted within a structure or on a lot enclosed by a solid fence at least six (6) feet in height, provided such fence shall not be less than forty (40) feet from any street right-of-way line and provided further that the board of adjustment finds that such a wrecking yard or industry will not have an injurious effect on the public interest or welfare. [II]

Brick, tile and terra-cotta manufacturing. [II]

Circuses, carnivals, fairs, sideshows. [Y]

Foundries producing iron and steel products. [II]

Hatcheries. [II]

Industrial equipment machinery repair and service. [II]

Laboratories: analytical, medical, experimental testing, or industrial processes. [I]

Machine tool manufacturing. [II]

Meat packing plants. [II]

Mobile home storage. [NR]

Plastics manufacturing. [II]

Pottery, porcelain and vitreous china manufacturing. [II]

Poultry dressing for wholesale. [II]

Prisons and correctional centers -- medium security facilities [JJ]

Prisons -- minimum security facilities [JJ]

Railroad freight yards or classification yards. [II]

Wholesale storage of gasoline or bulk terminal plants for any highly explosive or inflammable gases or liquids. [II]

Manufacturing uses not otherwise named herein upon the approval of the board of adjustment provided that no use shall be permitted in this section which is likely to be dangerous, offensive or detrimental to the health, safety, welfare or general character of this zoning district, or of the community by reason of the emission of dust, gas, smoke, noise, fumes, odors, vibration, glare, or otherwise. [II]

Machine and equipment manufacturing and assembly. [II]

(Ord. of 5-21-74, § 4; Ord. No. 1976-30, § 1, 5-18-76; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-45, § 11, 6-1-93; Ord. No. 1993-49, §§ 43, 44, 6-1-93; **Ord. No. 1997-18; Ord. No. 1999-49**)

Section 8.58. Special Heavy Industrial District (M-2-S).

See section 8.57 above for uses permitted in this district.

Ord. No. 1193-49, § 43, 6-1-93)

Section 8.59 Reserved.

Section 8.60 Reserved.

Section 8.61. College and University District (CU).

Within the College and University District the following uses shall be permitted and within the Special College and University District (CU-S) the following uses may be permitted:

Colleges, community colleges, technical colleges, universities--Both public and private, including the following: [GG/HH]

Academic buildings.

Accessory uses, structures and buildings which are clearly incidental to a permitted use, and are normally associated with higher education institutions including but not limited to university or college bookstores or other retail establishments, professional services,

daycare facilities, cafeterias, libraries, offices, assembly halls, coliseums, gymnasiums, stadiums and similar structures, chapels, automobile parking lots or structures, special events sanctioned by the college or university administration not to exceed seven (7) consecutive days.

Administrative buildings.

Child day care facilities, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Dormitories. [I]

Golf courses, with provisions as outlined in Section 12.13.

Housing for currently enrolled college and/or university students and their dependents and for current college and/or university employees and their dependents.

Home occupations in housing as defined in article IV, section 4.02 of the zoning ordinance, except such use shall not be permitted in dormitories.

Child day care homes, provided there is a valid state license and there is at least 100 sq. ft. of outdoor play area for each child. [H]

Signs as permitted in the office institutional district (B-1).

Within the college and university district (CU) the following uses shall be conditional uses:

State, regional or national nonprofit organization headquarters or museum, library, hall of fame in either any combination thereof or any singular use on a college campus. [See section 4.02] [Q]

(Ord. No. 1980-99, § 2, 11-18-80; Ord. No. 1984-5, § 1, 1-17-84; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, §§ 45, 46, 6-1-93; Ord. No. 1993-88, § 1, 11-16-93; Ord. No. 1994-44, § 8, 7-19-94; Ord. 1994-63, § 1, 12-6-94; **Ord. No. 1996-35; Ord. 1998-28; Ord. 1998-28; Ord. No. 1999-49**)

Section 8.62. Special College and University District (CU-S).

See section 8.61 above for uses permitted in this district.

(Ord. No. 1193-49, § 45, 6-1-93)

Section 8.63. Public, Semi-Public (PSP).

Within the Public, Semi-Public District (PSP) the following uses shall be permitted and within the Special Public, Semi-Public District (PSP-S) the following uses may be permitted:

Accessory uses and buildings which are clearly incidental to a permitted use and which will not create a nuisance or hazard. [NR]

Adult day care center provided that such use has a current and valid certification by the N.C. Department of Human Resources and that the number of clients in residence at any one time may be six (6) or more. [A]

Adult day care home provided such use has a current valid certification by the N.C. Department of Human Resources, that there shall be no more than five (5) clients in residence at any one time, and such use is not located within one-quarter mile of an existing adult day care home. [B]

Army Reserve Center [NR]

Assembly halls [Y], coliseums [Y], gymnasiums [M], auditoriums [Y], and similar structures.

Automobile parking lots or structures. [NR]

Cemeteries not in conjunction with a church. [NR]

Child day care facilities, in accordance with the procedures outlined in Section 7.10(III)(c) and approved in the special use permit. [H]

Churches and related uses. [E]

Clubs, lodges, fraternities, sororities, social, civic, and other similar organizations operated on a non-profit basis. [Y]

Colleges [GG/HH], universities [GG/HH], public elementary [P], **middle** [P], **high schools** [EE], and private schools having curricula approximately the same as ordinarily given in public schools.

Community centers. [M]

Rest homes, convalescent homes, and charitable institutions not used primarily for the treatment of contagious diseases, alcoholics, drug addicts, or mental illness. [DD]

Emergency services, including ambulance stations. [L]

Fairs with exhibits, games of skill, booths for the sale of goods or prepared food, and displays [see Section 12.18]

Family care homes. [FF]

Supervised living facility, with no more than 6 clients. [FF]

Fire and police stations. [L]

Golf courses, with provisions as outlined in Section 12.13.

Home occupations as defined in article IV, section 4.02 of this ordinance in existing residential buildings. [NR]

Hospitals. [N]

Industrial research and educational facilities without students in residence, provided that no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety, or general welfare of the community or otherwise create a nuisance. [HH]

Libraries, museums and art galleries. [Q]

Parks, playgrounds, community centers and picnic areas operated on a noncommercial basis for recreational purposes.

Post offices. [R]

Public utility distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges but not service or storage yards. [NR]

Vocational workshops. [NN]

Water treatment facility and related uses, requiring site plan review. [NR]

The following uses may be permitted as a conditional use and shall be subject to the terms defined for conditional use under section 4.02, Definitions:

Nonhospital alcoholic detoxification institution.

Intermediate care facilities that are used in conjunction and on the same site to nonhospital alcoholic detoxification institution.

Outpatient treatment facilities that are used in conjunction and on the same site to nonhospital alcoholic detoxification institution.

Halfway house facilities that are used in conjunction and on the same site to nonhospital alcoholic detoxification institution.

The uses shall be subject to the following conditions:

- (1) The site for a conditional use and any combination of conjunctive uses shall be a single site containing a minimum of four and five-tenths (4.5) acres;
- (2) The institution shall have a valid and current license as provided for by the N.C. Department of Human Resources or other applicable agency;
- (3) The side yard setback from interior lot lines shall be increased ten (10) feet in addition to the required side yard setback for public/semi-public districts. Accessory structures shall be located in the rear yard area only with at least a ten-foot setback from side yard lot line and a twenty-two-foot setback from an exterior lot line adjacent to a street right-of-way;
- (4) No parking or maneuvering of motor vehicles shall be permitted in a required side yard setback or in at least fifty (50) percent of the required front yard setback area. There shall be a maximum of two (2) driveways from the principal frontage street and one (1) driveway from any other abutting street;
- (5) Parking space requirements shall be subjected to those stated in section 7.02 under the use classification for mental health clinics [S];
- (6) At the time of granting this conditional use or any combination of conjunctive uses, there shall be no portion of an existing residential dwelling within a five-hundred-foot radius from the property lines of the site for the conditional use and that the development would be in keeping with the character of the neighborhood in which it is proposed to be located;
- (7) Construction of the facilities shall begin within a period set by the board of adjustment provided this period shall not exceed three (3) years. If construction is not begun during the stated period, the conditional use authorization shall become null and void;
- (8) All other requirements of the ordinances of the City of Salisbury are complied with.

The zoning board of adjustment may, as a conditional use, authorize assembly or processing operations in conjunction with a vocational trade school provided that:

- (1) The assembly or processing operations will be operated in conjunction with and on the same site with a vocational trade school for employment of students of said school;
- (2) The assembly or processing operations will be operated by the school and the employment of students is supervised by the school personnel;
- (3) The zoning board of adjustment makes a determination based on reasonable evidence presented that the assembly or processing operations would not be dangerous, offensive or detrimental to the health, safety, welfare or general character of adjacent property by reason of the emission of dust, noise, fumes, odors, vibrations, or otherwise;
- (4) More than one (1) conditional use permit may be issued in conjunction with a particular vocational trade school. A conditional use permit shall expire when an assembly or processing operation is discontinued for more than sixty (60) days or if an assembly or processing operation has not started operation within one hundred eighty (180) days of the date of the issuance of the conditional use permit.

(Ord. No. 1979-37, § 1, 6-19-79; Ord. No. 1981-45, § 2, 10-6-81; Ord. No. 1982-41, §§ 1, 2, 8-3-82; Ord. No. 1982-51, §§ 1, 2, 9-7-82; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-3, § 2, 1-7-86; Ord. No. 1993-45, § 13, 6-1-93; Ord. No. 1993-49, §§ 47, 48, 6-1-93; Ord. No. 1994-44, § 9, 7-19-94; Ord. No. 1994-51, §§ 2, 3, 8-16-94; **Ord. No. 1996-35; Ord. No. 1998-28; Ord. No. 1999-49; Ord. No. 1999-71; Ord. 2000-95; Ord. No. 2003-40**)

Section 8.64. Special Public, Semi-Public (PSP-S).

See section 8.63 above for uses permitted in this district.

(Ord. No. 1193-49, § 47, 6-1-93)

Sections 8.65--8.70. Reserved.

Section 8.71. Historic District (H).

The **Historic District (H)** shall be an additional zone overlapping any of the zoning districts of the zoning ordinance and shall be so delineated on the zoning map so as to distinguish that portion of any zoning district to which the **Historic District (H)** designation shall apply.

The requirements of the **Historic District (H)** shall be in addition to other zoning district requirements and when in conflict with other zoning district requirements, shall prevail over other requirements of any zoning district or portions thereof which are within the designated **(H)** district.

Changes in the appearance of the exterior of any building or other structure and certain other changes to the area in the **Historic District (H)** shall require approval of a certificate of appropriateness as described in Article **XVII** historic preservation commission.

(Ord. No. 1975-54, § 4, 8-19-75; Ord. No. 1976-67, § 2, 12-7-76; Ord. No. 1978-3, § 2, 1-17-78; Ord. No. 1930-90, §§ 1--4, 10-21-80; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1991-11, § 2, 4-2-91; Ord. No. 1993-49, §§ 49, 50, 6-1-93; **Ord. No. 1996-35; Ord.No.2001-76**)

Section 8.72. Higher Density Multifamily Residential District (HD).

The Higher Density Multifamily District shall be an additional zone designation which may be applied to any of the zoning districts which permit multifamily dwellings. That portion of any zone district to which the Higher Density Multifamily District designation shall apply shall be delineated on the zoning map.

Within a Higher Density Multifamily District, multifamily units may be developed to a maximum density as designated in column B for densities in section **11.01.1**. Densities for multifamily uses.

(Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1986-72, § 2, 11-4-86; Ord. No. 1993-49, § 51, 6-1-93; **Ord. No. 1996-35**)

Section 8.73. Mobile Home District (MH).

The Mobile Home District (also referred to as Manufactured Home District) shall be an additional zone designation to any of the zoning districts of the zoning ordinance. That portion of any zone district to which the Mobile Home District designation shall apply shall be delineated on the zoning map. Any area so designated and delineated shall be a contiguous area of at least fifteen (15) gross acres including streets, rights-of-way, public lands, and privately owned land. Any extension of an existing MH district shall be a minimum of 1/3 the size of the existing MH district or 15 acres, whichever figure is smaller.

Within a Mobile Home District (MH), an individual mobile home for single-family residential use only may be located on a separate lot provided:

- (1) It is one of the following, as defined in Section 4.02:**
 - (a) Manufactured home, Class AA**
 - (b) Manufactured home, Class A**
 - (c) Manufactured home, Class B**
- (2) The minimum size lot on which an individual mobile home is located shall have an area no less than that required for a single-family residential use for the district in which the mobile home unit is located.**
- (3) The yard requirements and height for an individual mobile home on an individual lot shall be that as required for a single-family unit for the district in which the mobile home is located.**
- (4) A mobile home shall be located no closer than twenty (20) feet to any structure.**
- (5) No individual mobile home which has less than three hundred sixty (360) square feet of interior floor area or does not contain a built-in bathroom with a water closet, lavatory, shower or tub, kitchen sink, and hot water heater, which are in working condition, shall be used as a residence.**
- (6) All other applicable requirements of the City of Salisbury are met.**
- (7) Any use authorized by this section shall be conditional in that should it subsequently cause, create or contribute to any activity or condition considered by the zoning administrator to be a nuisance, as defined by the ordinances of the City of Salisbury, the zoning administrator may terminate the certificate of occupancy until the nuisance and/or the conditions related thereto shall have been abated."**

(Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-49, § 52, 6-1-93; **Ord. No. 1998-30; Ord. No. 2000-57**)

Section 8.74. General Development-A District (GD-A).

The General Development-A District (GD-A) shall be an additional zone designation which may be applied to any office institutional, commercial or industrial district. That portion of any such zone district to which the General Development District designation applies shall be delineated on the zoning map.

Within a General Development-A District (GD-A) any commercial or industrial use permitted in the basic zoning district shall be permitted only when developed and maintained in accordance with a city council approved site plan. City council review and consideration shall be according to the procedure and standards set out for planning board under section 11.06, group development.

(Ord. No. 1983-39, § 3, 5-17-83; Ord. No. 1984-38, § 6, 5-1-84; Ord. No. 1993-46, § 6, 6-1-93; Ord. No. 1993-49, §§ 53, 54, 6-1-93)

Section 8.75. Watershed IV Protected Area District (WS-IV-PA).

The Watershed IV Protected Area District (W-IV-PA) shall be an additional zone overlapping any of the zoning districts on the zoning map so as to distinguish that portion of any zoning district to which the Watershed IV Protected Area District (WS-IV-PA) designation shall apply.

The requirements of the Watershed IV Protected Area District (WS-IV-PA) shall be in addition to other zoning district requirements. When overlay requirements specified in Article **XIV** Watershed regulations are in conflict with the underlying zoning (e.g., density requirements), the stricter of the regulations shall be applicable.

(Ord. No. 1993-42, § 2, 6-1-93; Ord. No. 1993-49, § 55, 6-1-93; **Ord. No. 1996-35; Ord. No. 2000-97; Ord. No. 2003-57**)

Section 8.76. Gateway – East Innes (G-EI).

The Gateway – East Innes Overlay District shall be an additional zone overlapping any of the other zoning districts of the Zoning Ordinance. Properties within the G-EI shall be developed according to the regulations contained in Article XV of this Ordinance. The G-EI permits all uses allowable in the underlying zoning district, except specific prohibited uses as listed in Section 15.03.

(Ord. No. 2003-57)